IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 11TH SEPTEMBER 2007 / 20TH BHADRA 1929

WP(C).No. 26890 of 2007(A)

ID.16/2000 of LABOUR COURT, KANNUR

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PETITIONER:

THE MANAGER,
CROWN MARKETING CENTRE,
PUTHIYATHERU, P.O.CHIRAKKAL,
KANNUR DISTRICT.

BY ADV. SRI.A.MOHAMED MUSTAQUE
SRI.M.K.SUMOD
SRI.KAUSER EDAPPAGATH
SRI.K.R.AVINASH (KUNNATH)

RESPONDENTS:

1. THE SECRETARY,
KERALA MARA VYAVASAYA, THOZHILALI UNION, TUC,
SUPER BAZAR, KANNUR-1.

2. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVT., DEPARTMENT OF LABOUR,
GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

3. THE LABOUR COURT, KANNUR.

BY G.P. SHRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.26890 of 2007

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Dated this the 11th day of September, 2007

J U D G M E N T

The petitioner is the management in I.D.No.16/2000 before the Labour Court, Kannur. Ext.P1 is the award passed by the Labour Curt in that I.D. Ext.P1 is challenged only on the ground that findings therein are not supported by evidence. I have gone through Ext.P1 award.

2. The issue referred for adjudication in the industrial dispute was the following:

> "Whether the denial of employment to S/Sri.C.Lakshmanan, A.Anil, E.Shivan, K.N.Prabhakaran, N.Raju, K.Purushothaman and T.Sudhir, polishing workers of Crown Marketing Centre, Puthiyatheru, Kannur is justifiable?"

3. The management denied that the workmen concerned were employed by the management at all. The Labour Court on the basis of the evidence tendered by the witnesses produced by the workmen including an Assistant Labour Officer who inspected the premises of the management-establishment, came to the

conclusion that the evidence supported the contention of the workmen that they are employed by the management in question. I do not find anything perverse in such findings. Without finding any perversity in the findings of the Labour Court, I cannot interfere with Ext.P1. In the above circumstances, I do not find any merit in the writ petition and accordingly, the same is dismissed.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.